

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:20-CR-388
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	
T'ANDRE BUCHANAN,)	<u>MOTION IN OPPOSITION TO MOTION</u>
)	<u>TO CONTINUE TRIAL DATE</u>
Defendant.)	

Now comes the United States of America, through its counsel, Bridget M. Brennan, Acting United States Attorney, and Scott C. Zarzycki, Assistant United States Attorney, and respectfully moves this Court to deny the motion to continue the trial date presently set for November 29, 2021 at 8:00 a.m. The basis for this request is articulated below.

The trial in this case was originally set for September 14, 2021. (R. 24: Order, PageID 163). On August 24, 2020, Defendant filed an unopposed motion to continue all dates and deadlines, citing among several reasons, the Chief Judge's General Order No. 2020-08-1 that trials were not to commence any earlier than September 21, 2020. (R. 27: Unopposed Motion to Continue, PageID 172). On August 25, 2020, the court granted the continuance and on September 8, 2020 set a new trial date for January 11, 2021. (Minutes of Proceedings, Sept. 8, 2020). On January 11, 2021 the court held a telephonic conference with both parties where it granted defense counsel's motion to continue and reset the jury trial for April 26, 2021. (Minutes of Proceedings, Jan. 11, 2021). On April 26, 2021, the court held an attorney conference and continued the trial date to November 29, 2021 due to COVID and other

scheduling issues. (Minutes of Proceedings, April 26, 2021). On November 12, 2021, Defense Counsel filed a Motion to Continue Trial (R. 41: Motion to Continue, PageID 198-199)

The government respectfully opposes this motion. This trial was set seven months ago in order to find a trial date with no scheduling conflicts for either party. There are a number of non-law enforcement witnesses who have made themselves available to testify the week of November 29, 2021. Further, several of these witnesses were present during the crime alleged in the indictment, and one in particular who would prefer to see this matter concluded in order to put it behind her and move on from this incident.

For the reasons articulated above, the government respectfully request that the court deny the motion to continue the trial.

Respectfully submitted,

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